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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/771,115	
	Filing Date	January 26, 2001	
	First Name of Inventor	Arthur Edward Shropshire	
	Group Art Unit	2825	
	Examiner Name	TBA	
Total Number of Pages in This Submission	5	Attorney Docket Number	003921.000123

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Regarding Foreign/International Filing and Rescinded Non-Publication Request
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Christopher L. McKee, Reg. No. 32,884
Signature	
Date	June 6, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known

Application Number 09/771,115
Filing Date January 26, 2001
First Named Inventor Arthur Edward Shropshire
Examiner Name TBA
Art Unit 2825
Attorney Docket No. 003921.00123

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit
Account
Number 19-0733

Deposit
Account
Name Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	750	Utility filing fee	
		1002	330	Design filing fee	
		1003	520	Plant filing fee	
		1004	750	Reissue filing fee	
		1005	160	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims		** =	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims		** =	0	X		=	0
Multiple Dependent				X		=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	Claims in excess of 20
		1201	84	Independent claims in excess of 3
		1203	280	Multiple dependent claim, if not paid
		1204	84	** Reissue independent claims over original patent
		1205	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	Surcharge - late filing fee or oath	
		1052	50	Surcharge - late provisional filing fee or cover sheet	
		1053	130	Non-English specification	
		1812	2,520	For filing a request for <i>ex parte</i> reexamination	
		1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	Extension for reply within first month	
		1252	410	Extension for reply within second month	
		1253	930	Extension for reply within third month	
		1254	1,450	Extension for reply within fourth month	
		1255	1,970	Extension for reply within fifth month	
		1401	320	Notice of Appeal	
		1402	320	Filing a brief in support of an appeal	
		1403	280	Request for oral hearing	
		1451	1,510	Petition to institute a public use proceeding	
		1452	110	Petition to revive - unavoidable	
		1453	1,300	Petition to revive - unintentional	
		1501	1,300	Utility issue fee (or reissue)	
		1502	470	Design issue fee	
		1503	630	Plant issue fee	
		1460	130	Petitions to the Commissioner	
		1807	50	Processing fee under 37 CFR 1.17 (q)	
		1806	180	Submission of Information Disclosure Stmt	
		8021	40	Recording each patent assignment per property (times number of properties)	
		1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	750	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	750	Request for Continued Examination (RCE)	
		1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Christopher L. McKee Registration No. Attorney/Agent 32,384 Telephone (202) 824-3000
Signature Date June 6, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form.

Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Arthur Edward SHROPSHIRE) Group Art Unit: 2825
)
Serial No.: 09/771,115) Examiner: TBA
)
Filed: January 26, 2001) Attorney Docket No.: 003921.00123
)
For: WIRING HARNESS DATA SYSTEMS)

**COMMUNICATION REGARDING FOREIGN/INTERNATIONAL FILING AND
RESCINDED NON-PUBLICATION REQUEST**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant filed a Request for Non-Publication with this application on January 26, 2001. Applicant subsequently filed a Request to Rescind Previous Non-Publication Request on September 18, 2001.

Applicant filed a corresponding PCT Application in the USPTO as the Receiving Office on September 18, 2001. The assignee has not entered the national stage in this PCT application.

It is respectfully submitted that because applicant filed a rescission of the Non-Publication Request no later than the International filing, applicant was not required to file a separate Notice of the International filing under 15 U.S.C. § 122(b)(2)(B)(iii), which section, on its face, appears to apply to applicants who file foreign/International applications without having rescinded the Non-Publication Request.

It is also applicant's understanding that the PTO considers the filing of a Request to Rescind to be a Notice of Subsequent Foreign Filing. This understanding derives from the Note on Form PTO/SB36 (4-01) (copy attached). PTO/SB36 (4-01) does not include an explicit Notice of Foreign or International filing, yet the Note indicates that filing the Request to Rescind is considered by the PTO as notice of International or foreign filing. Applicant's September 18, 2001 Request to Rescind was identical to Form PTO/SB36 (4-01), but without the Note. Because the Note is not an affirmative statement by applicant and is merely an explanation of how the PTO treats the applicant's statement above the note, applicant submits that the PTO

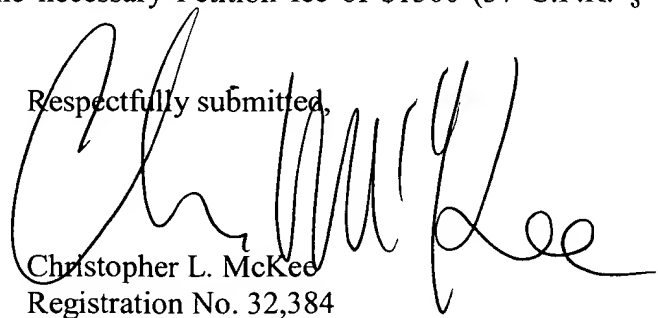
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should treat applicant's Request to Rescind Previous Non-Publication Request as a notice of subsequent foreign or International filing, if the PTO deems such a notice as necessary in this application.

Applicant submits, therefore, that applicant has complied with 35 U.S.C. § 122 and that no further action is necessary to permit the prosecution of this application to go forward. If the Patent and Trademark Office considers that applicant has not complied with 35 U.S.C. § 122, applicant respectfully requests that this paper be considered the required notice of the filing of an foreign/International application, including a showing that the delay in submitting the Notice was unintentional. Under these circumstances, any failure to provide such notice within the 45 day period prescribed by 35 U.S. § 122 shall **not** result in the abandonment of the application. "A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional." 35 U.S.C. § 122(b)(2)(B)(iii) (emphasis added).

If, notwithstanding the foregoing, the USPTO deems that a petition to revive under 37 C.F.R. § 1.137(b) is required to maintain this application, then applicant respectfully requests that this paper be treated as such. In this regard, applicant hereby states that the entire delay in submitting the requisite notice of a subsequent foreign or International filing required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(C) was unintentional, and authorization is given to charge our deposit account No. 19-0733 the necessary Petition fee of \$1300 (37 C.F.R. § 1.17(m)).

Respectfully submitted,

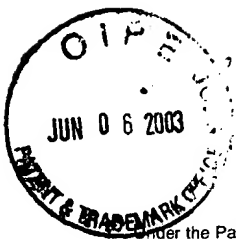


Christopher L. McKee
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1001 G Street, N.W., 11th Floor
Washington, D.C. 20001-4597
(202) 508-9100

Date: June 6, 2003

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**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number

Filing Date

First Named Inventor

Title

Atty Docket Number

Group Art Unit

Examiner

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

Date

Signature

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five days (45) days after the date of filing of the foreign or international application.

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)

Signature

Date

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.